

RESEARCH APPENDIX

Date Transfer Requested: 11/30/2018 (Per: CMH)

Appendix P ... has been added to the 2017 LRB-6074

Appendix A LRB 17-5979

Appendix B LRB 17-5982

Appendix C LRB 17-5983

Appendix D LRB 17-5985

Appendix E LRB 17-5986

Appendix F LRB 17-5989

Appendix G LRB 17-5990

Appendix H LRB 17-5995

Appendix I LRB 17-5998

Appendix J LRB 17-6001

Appendix K LRB 17-6004

Appendix L LRB 17-6006

Appendix M LRB 17-6007

Appendix N LRB 17-6012

Appendix O LRB 17-6015

Appendix P LRB 17-6017

Appendix Q LRB 17-6019

Appendix R LRB 17-6021

Appendix S LRB 17-6023

Appendix T LRB 17-6024

Appendix U LRB 17-6025

Appendix V LRB 17-6027

Appendix W LRB 17-6028

Appendix X LRB 17-6031

Appendix Y LRB 17-6036

Appendix Z LRB 17-6037

Appendix AA LRB 17-6038

Appendix BB LRB 17-6039

Appendix CC LRB 17-6040

Appendix DD LRB 17-6041

Appendix EE LRB 17-6042

Appendix FF LRB 17-6043

Appendix GG LRB 17-6046

Appendix HH LRB 17-6047

Appendix II LRB 17-6048

Appendix JJ LRB 17-6049

Appendix KK LRB 17-6050

Appendix LL LRB 17-6051

Appendix MM LRB 17-6052

Appendix NN LRB 17-6058

Appendix OO LRB 17-6059

Appendix PP LRB 17-6065

Appendix QQ LRB 17-6067

2017 DRAFTING REQUEST

Bill

For: **Robin Vos (608) 266-9171** Drafter: **jkreye**
 By: **steve** Secondary Drafters:
 Date: **11/14/2018** May Contact:

Same as LRB:

Submit via email: **YES**
 Requester's email: **Rep.Vos@legis.wisconsin.gov**
 Carbon copy (CC) to: **joseph.kreye@legis.wisconsin.gov**
steve.fawcett@legis.wisconsin.gov
michael.gallagher@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Presidential preference primary

Instructions:

Move the presidential primary to the 2nd Tuesday in March

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	jkreye 11/26/2018	csicilia 11/26/2018	mbarman 11/15/2018	rchampag 11/23/2018	State S&L
/P2		kfollett 11/26/2018	dwalker 11/26/2018		State S&L

FE Sent For:

<END>



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-6017/P1

JK...

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

in filed 11-14

- 1 AN ACT ...; **relating to:** holding the presidential preference primary on the 3rd
2 Tuesday in February.

Analysis by the Legislative Reference Bureau

This bill requires the presidential preference primary to be held on the 3rd Tuesday in February rather than the first Tuesday in April.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 SECTION 1. 5.02 (21) of the statutes is amended to read:
4 5.02 (21) "Spring election" means the election held on the first Tuesday in April
5 to elect judicial, educational and municipal officers, and nonpartisan county officers
6 and sewerage commissioners and to express preferences for the person to be the
7 presidential candidate for each party in a year in which electors for president and
8 vice president are to be elected.

History: 1971 c. 211; 1971 c. 304 ss. 2, 29 (2); 1973 c. 280, 334; 1975 c. 93; 1977 c. 107, 187, 394; 1977 c. 427 ss. 3 to 14; 1977 c. 449; 1979 c. 32, 89, 221; 1979 c. 260 ss. 1m, 73 to 75; 1979 c. 311, 328; 1981 c. 4, 391; 1983 a. 484 ss. 5, 5c, 124m, 128; 1985 a. 303; 1985 a. 304 ss. 1m, 2, 155; 1987 a. 391 ss. 1 to 1r, 66w; 1989 a. 31; 1991 a.

5; 1993 a. 140, 184; 1995 a. 16 s. 2; 1995 a. 27 s. 9145 (1); 1995 a. 219; 1997 a. 35; 2001 a. 16, 109; 2003 a. 24, 265; 2005 a. 177, 451; 2007 a. 1; 2009 a. 397; 2011 a. 23, 32, 45, 75; 2013 a. 165; 2015 a. 117, 118, 261.

1 **SECTION 2.** 5.02 (22) of the statutes is amended to read:

2 **5.02 (22)** “Spring primary” means the nonpartisan primary held on the 3rd
3 Tuesday in February to nominate nonpartisan candidates to be voted for at the
4 spring election and to express preferences for the person to be the presidential
5 candidate for each party in a year in which electors for president and vice president
6 are to be elected.

History: 1971 c. 211; 1971 c. 304 ss. 2, 29 (2); 1973 c. 280, 334; 1975 c. 93; 1977 c. 107, 187, 394; 1977 c. 427 ss. 3 to 14; 1977 c. 449; 1979 c. 32, 89, 221; 1979 c. 260 ss. 1m, 73 to 75; 1979 c. 311, 328; 1981 c. 4, 391; 1983 a. 484 ss. 5, 5c, 124m, 128; 1985 a. 303; 1985 a. 304 ss. 1m, 2, 155; 1987 a. 391 ss. 1 to 1r, 66w; 1989 a. 31; 1991 a. 5; 1993 a. 140, 184; 1995 a. 16 s. 2; 1995 a. 27 s. 9145 (1); 1995 a. 219; 1997 a. 35; 2001 a. 16, 109; 2003 a. 24, 265; 2005 a. 177, 451; 2007 a. 1; 2009 a. 397; 2011 a. 23, 32, 45, 75; 2013 a. 165; 2015 a. 117, 118, 261.

7 **SECTION 3.** 7.08 (2) (d) of the statutes is amended to read:

8 **7.08 (2) (d)** As soon as possible after ~~the last Tuesday in January~~ December 15
9 of each year preceding the year in which there is a presidential election, the
10 commission shall transmit to each county clerk a certified list of candidates for
11 president who have qualified to have their names appear on the presidential
12 preference primary ballot.

13 **SECTION 4.** 8.12 (1) of the statutes is amended to read:

14 **8.12 (1) SELECTION OF NAMES FOR BALLOT.** (a) No later than 5 p.m. on ~~the 2nd~~
15 ~~Tuesday in December~~ November 15 of the year before each year in which electors for
16 president and vice president are to be elected, the state chairperson of each
17 recognized political party listed on the official ballot at the last gubernatorial election
18 whose candidate for governor received at least 10 percent of the total votes cast for
19 that office may certify to the commission that the party will participate in the
20 presidential preference primary. For each party filing such a certification, the voters
21 of this state shall at the spring election be given an opportunity to express their
22 preference for the person to be the presidential candidate of that party.

1 (b) ~~On the first Tuesday in January~~ No later than December 1 of each year, ~~or~~
2 ~~the next day if Tuesday is a holiday, preceding the year~~ in which electors for president
3 and vice president are to be elected, there shall be convened in the capitol a
4 committee consisting of, for each party filing a certification under this subsection,
5 the state chairperson of that state party organization or the chairperson's designee,
6 one national committeeman and one national committeewoman designated by the
7 state chairperson; the speaker and the minority leader of the assembly or their
8 designees, and the president and the minority leader of the senate or their designees.
9 All designations shall be made in writing to the commission. This committee shall
10 organize by selecting an additional member who shall be the chairperson and shall
11 determine, and certify to the commission, no later than on the Friday following the
12 date on which the committee convenes under this paragraph, the names of all
13 candidates of the political parties represented on the committee for the office of
14 president of the United States. The committee shall place the names of all
15 candidates whose candidacy is generally advocated or recognized in the national
16 news media throughout the United States on the ballot, and may, in addition, place
17 the names of other candidates on the ballot. The committee shall have sole discretion
18 to determine that a candidacy is generally advocated or recognized in the national
19 news media throughout the United States.

20 (c) No later than 5 p.m. on ~~the last Tuesday in January~~ December 15 of each
21 ~~year preceding a~~ presidential election year, any person seeking the nomination by
22 the national convention of a political party filing a certification under this subsection
23 for the office of president of the United States, or any committee organized in this
24 state on behalf of and with the consent of such person, may submit to the commission
25 a petition to have the person's name appear on the presidential preference ballot.

1 The petition may be circulated no sooner than ~~the first Tuesday in January of such~~
2 ~~year, or the next day if Tuesday is a holiday, December 1 of the year preceding the~~
3 ~~presidential election year~~ and shall be signed by a number of qualified electors equal
4 in each congressional district to not less than 1,000 signatures nor more than 1,500
5 signatures. The form of the petition shall conform to the requirements of s. 8.40. All
6 signers on each separate petition paper shall reside in the same congressional
7 district.

8 (d) The commission shall forthwith contact each person whose name has been
9 placed in nomination under par. (b) and notify him or her that his or her name will
10 appear on the Wisconsin presidential preference ballot unless he or she files, no later
11 than 5 p.m. on ~~the last Tuesday in January of such year~~ December 15 of the year
12 preceding a presidential election year, with the commission, a disclaimer stating
13 without qualification that he or she is not and does not intend to become a candidate
14 for the office of president of the United States at the forthcoming presidential
15 election. The disclaimer may be filed with the commission by certified mail,
16 telegram, or in person.

History: 1973 c. 334 ss. 16, 57; 1975 c. 93, 185, 199, 422; 1977 c. 427; 1979 c. 34, 260, 311, 355; 1983 a. 484; 1985 a. 304 ss. 100 to 106, 156; 1987 a. 391; 1989 a. 192; 1993 a. 184; 1995 a. 16 s. 2; 1999 a. 182; 2003 a. 24; 2011 a. 45; 2015 a. 118 s. 266 (10).

History: 1971 c. 242; 1973 c. 334 s. 6, 57; 1975 c. 85, 93, 94, 199; 1977 c. 29, 107, 394, 427; 1979 c. 89, 177, 260, 311; 1981 c. 377; 1983 a. 51, 484; 1985 a. 120, 304; 1989 a. 192; 1993 a. 140; 1995 a. 16 s. 2; 1997 a. 27; 1999 a. 49, 182; 2001 a. 16, 38, 107, 109; 2003 a. 265; 2005 a. 177, 278, 451; 2007 a. 1, 20, 96; 2009 a. 28; 2011 a. 23, 32, 45, 75, 227; 2013 a. 179, 323; 2015 a. 118 ss. 85 to 87, 266 (10); 2015 a. 261; 2017 a. 366.

17 **SECTION 5.** 8.12 (3) of the statutes is amended to read:

18 **8.12 (3) REPORTING OF RESULTS.** No later than ~~May 15~~ March 31 following the
19 presidential preference primary, the commission shall notify each state party
20 organization chairperson under sub. (1) (b) of the results of the presidential
21 preference primary within the state and within each congressional district.

History: 1973 c. 334 ss. 16, 57; 1975 c. 93, 185, 199, 422; 1977 c. 427; 1979 c. 34, 260, 311, 355; 1983 a. 484; 1985 a. 304 ss. 100 to 106, 156; 1987 a. 391; 1989 a. 192; 1993 a. 184; 1995 a. 16 s. 2; 1999 a. 182; 2003 a. 24; 2011 a. 45; 2015 a. 118 s. 266 (10).

22 **SECTION 6.** 10.06 (2) (d) of the statutes is amended to read:

1 10.06 (2) (d) On the Monday preceding the spring primary, when held, the
2 county clerk shall publish a type B notice. In a year in which the presidential
3 preference primary is held, the county clerk shall also publish notice of the
4 presidential preference primary.

History: 1973 c. 280; 1973 c. 334 s. 57; 1975 c. 275, 422; 1977 c. 107, 340, 427; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304, 332; 1987 a. 391; 1989 a. 273; 1995 a. 16 s. 2; 1999 a. 182; 2001 a. 16, 109; 2003 a. 24; 2007 a. 1; 2011 a. 32, 45, 75; 2013 a. 165; 2015 a. 118 ss. 120, 266 (10).

5 **SECTION 7.** 10.06 (2) (g) of the statutes is amended to read:

6 10.06 (2) (g) On the Monday preceding the spring election, the county clerk
7 shall publish a type B notice containing the same information prescribed in par. (a).
8 ~~In a year in which the presidential preference primary is held, the county clerk shall~~
9 ~~also publish notice of the presidential preference primary.~~ In addition, the county
10 clerk shall publish a type C notice on the Monday preceding the spring election for
11 all state and county referenda to be voted upon by electors of the county.

History: 1973 c. 280; 1973 c. 334 s. 57; 1975 c. 275, 422; 1977 c. 107, 340, 427; 1979 c. 260, 311; 1983 a. 484; 1985 a. 304, 332; 1987 a. 391; 1989 a. 273; 1995 a. 16 s. 2; 1999 a. 182; 2001 a. 16, 109; 2003 a. 24; 2007 a. 1; 2011 a. 32, 45, 75; 2013 a. 165; 2015 a. 118 ss. 120, 266 (10).

12 **SECTION 8.** 11.0101 (32) of the statutes is amended to read:

13 11.0101 (32) "Spring election" means the election held on the first Tuesday in
14 April to elect judicial, educational, and municipal officers, and nonpartisan county
15 officers and sewerage commissioners, and to express preferences for the person to be
16 ~~the presidential candidate for each political party in a year in which electors for~~
17 ~~president and vice president are to be elected.~~

History: 2015 a. 117 ss. 24, 74 (1m); 2015 a. 118 s. 121; 2017 a. 366 s. 99.

18 **SECTION 9.** 11.0101 (33) of the statutes is amended to read:

19 11.0101 (33) "Spring primary" means the nonpartisan primary held on the 3rd
20 Tuesday in February to nominate nonpartisan candidates to be voted for at the
21 spring election and to express preferences for the person to be the presidential

- 1 candidate for each political party in a year in which electors for president and vice
2 president are to be elected.

History: 2015 a. 117 ss. 24, 74 (1m); 2015 a. 118 s. 121; 2017 a. 366 s. 99.

- 3 (END)



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-6017/P1
JK:kjf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

inserts

*Monday
11-26*

*second
2nd*

March

1 AN ACT *to amend* 5.02 (21), 5.02 (22), 7.08 (2) (d), 8.12 (1), 8.12 (3), 10.06 (2) (d),
2 10.06 (2) (g), 11.0101 (32) and 11.0101 (33) of the statutes; **relating to:** holding
3 the presidential preference primary on the *3rd* Tuesday in *February*

second
Analysis by the Legislative Reference Bureau

This bill requires the presidential preference primary to be held on the *3rd* Tuesday in *February* rather than the *first* Tuesday in *April*. *March*
For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

*Insert
1-4*

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 5.02 (21) of the statutes is amended to read:
5 5.02 (21) "Spring election" means the election held on the first Tuesday in April
6 to elect judicial, educational and municipal officers, and nonpartisan county officers
7 and sewerage commissioners ~~and to express preferences for the person to be the~~
8 ~~presidential candidate for each party in a year in which electors for president and~~
9 ~~vice president are to be elected.~~

1 **SECTION 2.** 5.02 (22) of the statutes is amended to read:

2 5.02 (22) "Spring primary" means the nonpartisan primary held on the 3rd
3 Tuesday in February to nominate nonpartisan candidates to be voted for at the
4 spring election and to express preferences for the person to be the presidential
5 candidate for each party in a year in which electors for president and vice president
6 are to be elected.

7 **SECTION 3.** 7.08 (2) (d) of the statutes is amended to read:

8 7.08 (2) (d) As soon as possible after ~~the last Tuesday in January~~ December 15
9 of each year preceding the year in which there is a presidential election, the
10 commission shall transmit to each county clerk a certified list of candidates for
11 president who have qualified to have their names appear on the presidential
12 preference primary ballot.

13 **SECTION 4.** 8.12 (1) of the statutes is amended to read:

14 8.12 (1) SELECTION OF NAMES FOR BALLOT. (a) No later than 5 p.m. on ~~the 2nd~~
15 ~~Tuesday in December~~ November 15 of the year before each year in which electors for
16 president and vice president are to be elected, the state chairperson of each
17 recognized political party listed on the official ballot at the last gubernatorial election
18 whose candidate for governor received at least 10 percent of the total votes cast for
19 that office may certify to the commission that the party will participate in the
20 presidential preference primary. For each party filing such a certification, the voters
21 of this state shall at the spring election be given an opportunity to express their
22 preference for the person to be the presidential candidate of that party.

23 (b) ~~On the first Tuesday in January~~ No later than December 1 of each year, ~~or~~
24 ~~the next day if Tuesday is a holiday,~~ preceding the year in which electors for president
25 and vice president are to be elected, there shall be convened in the capitol a

1 committee consisting of, for each party filing a certification under this subsection,
2 the state chairperson of that state party organization or the chairperson's designee,
3 one national committeeman and one national committeewoman designated by the
4 state chairperson; the speaker and the minority leader of the assembly or their
5 designees, and the president and the minority leader of the senate or their designees.
6 All designations shall be made in writing to the commission. This committee shall
7 organize by selecting an additional member who shall be the chairperson and shall
8 determine, and certify to the commission, no later than on the Friday following the
9 date on which the committee convenes under this paragraph, the names of all
10 candidates of the political parties represented on the committee for the office of
11 president of the United States. The committee shall place the names of all
12 candidates whose candidacy is generally advocated or recognized in the national
13 news media throughout the United States on the ballot, and may, in addition, place
14 the names of other candidates on the ballot. The committee shall have sole discretion
15 to determine that a candidacy is generally advocated or recognized in the national
16 news media throughout the United States.

17 (c) No later than 5 p.m. on the last Tuesday in January December 15 of each
18 year preceding a presidential election year, any person seeking the nomination by
19 the national convention of a political party filing a certification under this subsection
20 for the office of president of the United States, or any committee organized in this
21 state on behalf of and with the consent of such person, may submit to the commission
22 a petition to have the person's name appear on the presidential preference ballot.
23 The petition may be circulated no sooner than the first Tuesday in January of such
24 year, or the next day if Tuesday is a holiday, December 1 of the year preceding the
25 presidential election year and shall be signed by a number of qualified electors equal

1 in each congressional district to not less than 1,000 signatures nor more than 1,500
2 signatures. The form of the petition shall conform to the requirements of s. 8.40. All
3 signers on each separate petition paper shall reside in the same congressional
4 district.

5 (d) The commission shall forthwith contact each person whose name has been
6 placed in nomination under par. (b) and notify him or her that his or her name will
7 appear on the Wisconsin presidential preference ballot unless he or she files, no later
8 than 5 p.m. on the last Tuesday in January of such year December 15 of the year
9 preceding a presidential election year, with the commission, a disclaimer stating
10 without qualification that he or she is not and does not intend to become a candidate
11 for the office of president of the United States at the forthcoming presidential
12 election. The disclaimer may be filed with the commission by certified mail,
13 telegram, or in person.

14 **SECTION 5.** 8.12 (3) of the statutes is amended to read:

15 8.12 (3) REPORTING OF RESULTS. No later than ~~May 15~~ March 31 following the
16 presidential preference primary, the commission shall notify each state party
17 organization chairperson under sub. (1) (b) of the results of the presidential
18 preference primary within the state and within each congressional district.

19 **SECTION 6.** 10.06 (2) (d) of the statutes is amended to read:

20 10.06 (2) (d) On the Monday preceding the spring primary, when held, the
21 county clerk shall publish a type B notice. In a year in which the presidential
22 preference primary is held, the county clerk shall also publish notice of the
23 presidential preference primary.

24 **SECTION 7.** 10.06 (2) (g) of the statutes is amended to read:

Insert
4-19

1 10.06 (2) (g) On the Monday preceding the spring election, the county clerk
2 shall publish a type B notice containing the same information prescribed in par. (a).
3 ~~In a year in which the presidential preference primary is held, the county clerk shall~~
4 ~~also publish notice of the presidential preference primary.~~ In addition, the county
5 clerk shall publish a type C notice on the Monday preceding the spring election for
6 all state and county referenda to be voted upon by electors of the county.

7 **SECTION 8.** 11.0101 (32) of the statutes is amended to read:

8 11.0101 (32) "Spring election" means the election held on the first Tuesday in
9 April to elect judicial, educational, and municipal officers, and nonpartisan county
10 officers and sewerage commissioners, ~~and to express preferences for the person to be~~
11 ~~the presidential candidate for each political party in a year in which electors for~~
12 ~~president and vice president are to be elected.~~

13 **SECTION 9.** 11.0101 (33) of the statutes is amended to read:

14 11.0101 (33) "Spring primary" means the nonpartisan primary held on the 3rd
15 Tuesday in February to nominate nonpartisan candidates to be voted for at the
16 spring election and to express preferences for the person to be the presidential
17 candidate for each political party in a year in which electors for president and vice
18 president are to be elected.

19 (E~~ND~~)

**2019-2020 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-6017/P2ins
JK:kjf

Insert 1 - 4

1 **SECTION 1.** **5.02** (15m) of the statutes is created to read:
2 **5.05 (15m)** "Presidential preference primary" means the primary held on the
3 2nd Tuesday in March to express preferences for the person to be the presidential
4 candidate for each party in a year in which electors for president and vice president
5 are to be elected.

Insert 2 - 6

6 **SECTION 2.** 5.60 (8) (am) of the statutes is amended to read:
7 5.60 (8) (am) Except as authorized in s. 5.655, there shall be a separate ballot
8 for each recognized political party filing a certification under s. 8.12 (1), listing the
9 names of all potential candidates of that party determined under s. 8.12 and
10 affording, in addition, an opportunity to the voter to nominate another potential
11 candidate by write-in vote or to vote for an uninstructed delegation to the party
12 convention. The order of presidential candidates on the ballot shall be determined
13 by lot by or under the supervision of the commission. Each voter shall be given the
14 ballots of all the parties participating in the presidential preference vote primary, but
15 may vote on one ballot only.

History: 1971 c. 304 ss. 9 to 11, 29 (2); 1971 c. 336; 1973 c. 134; 1973 c. 334 s. 57; 1975 c. 93; 1977 c. 187, 427, 445, 449; 1979 c. 221, 260, 355; 1981 c. 377; 1983 a. 484; 1983 a. 532 s. 36; 1985 a. 29 s. 3202 (56); 1985 a. 89, 225; 1985 a. 304 ss. 28, 155; 1987 a. 391; 1989 a. 192, 290; 1993 a. 266; 1995 a. 16 s. 2; 1995 a. 201; 1999 a. 150 s. 672; 1999 a. 182; 2003 a. 24; 2005 a. 149; 2011 a. 45, 62; 2015 a. 118 ss. 65, 266 (10).

Insert 4 - 19

16 **SECTION 3.** 10.02 (3) (b) 3. of the statutes is amended to read:
17 10.02 (3) (b) 3. When casting a presidential preference primary vote, the elector
18 shall select the party ballot of his or her choice and make a cross (X) next to or depress
19 the button or lever next to the candidate's name for whom he or she intends to vote
20 or shall, in the alternative, make a cross (X) next to or depress the button or lever next

- 1 to the words "Uninstructed delegation", or shall write in the name of his or her choice
- 2 for a candidate.

History: 1971 c. 304 s. 29 (2); 1973 c. 334 s. 57; 1975 c. 85, 199; 1977 c. 107, 427, 447; 1979 c. 311; 1981 c. 377; 1983 a. 484 ss. 119, 172 (3); 1985 a. 304; 1989 a. 31; 1997 a. 250; 1999 a. 182; 2003 a. 265; 2005 a. 451; 2011 a. 23, 32; 2015 a. 118 s. 266 (10).



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-6017/P2
JK:kjf

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to amend* 5.02 (21), 7.08 (2) (d), 8.12 (1), 8.12 (3), 5.60 (8) (am), 10.06 (2)
2 (d), 10.06 (2) (g), 11.0101 (32) and 10.02 (3) (b) 3.; and *to create* 5.02 (15m) of
3 the statutes; **relating to:** holding the presidential preference primary on the
4 second Tuesday in March.

Analysis by the Legislative Reference Bureau

This bill requires the presidential preference primary to be held on the second Tuesday in March rather than the first Tuesday in April.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 5.02 (15m) of the statutes is created to read:
6 **5.02 (15m)** "Presidential preference primary" means the primary held on the
7 2nd Tuesday in March to express preferences for the person to be the presidential
8 candidate for each party in a year in which electors for president and vice president
9 are to be elected.

1 **SECTION 2.** 5.02 (21) of the statutes is amended to read:

2 5.02 (21) "Spring election" means the election held on the first Tuesday in April
3 to elect judicial, educational and municipal officers, and nonpartisan county officers
4 and sewerage commissioners ~~and to express preferences for the person to be the~~
5 ~~presidential candidate for each party in a year in which electors for president and~~
6 ~~vice president are to be elected.~~

7 **SECTION 3.** 7.08 (2) (d) of the statutes is amended to read:

8 7.08 (2) (d) As soon as possible after ~~the last Tuesday in January~~ December 15
9 of each year preceding the year in which there is a presidential election, the
10 commission shall transmit to each county clerk a certified list of candidates for
11 president who have qualified to have their names appear on the presidential
12 preference primary ballot.

13 **SECTION 4.** 8.12 (1) of the statutes is amended to read:

14 8.12 (1) SELECTION OF NAMES FOR BALLOT. (a) No later than 5 p.m. on ~~the 2nd~~
15 ~~Tuesday in December~~ November 15 of the year before each year in which electors for
16 president and vice president are to be elected, the state chairperson of each
17 recognized political party listed on the official ballot at the last gubernatorial election
18 whose candidate for governor received at least 10 percent of the total votes cast for
19 that office may certify to the commission that the party will participate in the
20 presidential preference primary. For each party filing such a certification, the voters
21 of this state shall at the spring election be given an opportunity to express their
22 preference for the person to be the presidential candidate of that party.

23 (b) ~~On the first Tuesday in January~~ No later than December 1 of each year, ~~or~~
24 ~~the next day if Tuesday is a holiday, preceding the year~~ in which electors for president
25 and vice president are to be elected, there shall be convened in the capitol a

1 committee consisting of, for each party filing a certification under this subsection,
2 the state chairperson of that state party organization or the chairperson's designee,
3 one national committeeman and one national committeewoman designated by the
4 state chairperson; the speaker and the minority leader of the assembly or their
5 designees, and the president and the minority leader of the senate or their designees.

6 All designations shall be made in writing to the commission. This committee shall
7 organize by selecting an additional member who shall be the chairperson and shall
8 determine, and certify to the commission, no later than on the Friday following the
9 date on which the committee convenes under this paragraph, the names of all
10 candidates of the political parties represented on the committee for the office of
11 president of the United States. The committee shall place the names of all
12 candidates whose candidacy is generally advocated or recognized in the national
13 news media throughout the United States on the ballot, and may, in addition, place
14 the names of other candidates on the ballot. The committee shall have sole discretion
15 to determine that a candidacy is generally advocated or recognized in the national
16 news media throughout the United States.

17 (c) No later than 5 p.m. on ~~the last Tuesday in January~~ December 15 of each
18 year preceding a presidential election year, any person seeking the nomination by
19 the national convention of a political party filing a certification under this subsection
20 for the office of president of the United States, or any committee organized in this
21 state on behalf of and with the consent of such person, may submit to the commission
22 a petition to have the person's name appear on the presidential preference ballot.
23 The petition may be circulated no sooner than ~~the first Tuesday in January of such~~
24 year, or the next day if Tuesday is a holiday, December 1 of the year preceding the
25 presidential election year and shall be signed by a number of qualified electors equal

1 in each congressional district to not less than 1,000 signatures nor more than 1,500
2 signatures. The form of the petition shall conform to the requirements of s. 8.40. All
3 signers on each separate petition paper shall reside in the same congressional
4 district.

5 (d) The commission shall forthwith contact each person whose name has been
6 placed in nomination under par. (b) and notify him or her that his or her name will
7 appear on the Wisconsin presidential preference primary ballot unless he or she files,
8 no later than 5 p.m. on the last Tuesday in January of such year December 15 of the
9 year preceding a presidential election year, with the commission, a disclaimer
10 stating without qualification that he or she is not and does not intend to become a
11 candidate for the office of president of the United States at the forthcoming
12 presidential election. The disclaimer may be filed with the commission by certified
13 mail, telegram, or in person.

14 **SECTION 5.** 8.12 (3) of the statutes is amended to read:

15 8.12 (3) REPORTING OF RESULTS. No later than May 15 March 31 following the
16 presidential preference primary, the commission shall notify each state party
17 organization chairperson under sub. (1) (b) of the results of the presidential
18 preference primary within the state and within each congressional district.

19 **SECTION 6.** 5.60 (8) (am) of the statutes is amended to read:

20 5.60 (8) (am) Except as authorized in s. 5.655, there shall be a separate ballot
21 for each recognized political party filing a certification under s. 8.12 (1), listing the
22 names of all potential candidates of that party determined under s. 8.12 and
23 affording, in addition, an opportunity to the voter to nominate another potential
24 candidate by write-in vote or to vote for an uninstructed delegation to the party
25 convention. The order of presidential candidates on the ballot shall be determined

1 by lot by or under the supervision of the commission. Each voter shall be given the
2 ballots of all the parties participating in the presidential preference vote primary, but
3 may vote on one ballot only.

4 **SECTION 7.** 10.06 (2) (d) of the statutes is amended to read:

5 10.06 (2) (d) On the Monday preceding the spring primary, when held, the
6 county clerk shall publish a type B notice. In a year in which the presidential
7 preference primary is held, the county clerk shall also publish notice of the
8 presidential preference primary.

9 **SECTION 8.** 10.06 (2) (g) of the statutes is amended to read:

10 10.06 (2) (g) On the Monday preceding the spring election, the county clerk
11 shall publish a type B notice containing the same information prescribed in par. (a).
12 ~~In a year in which the presidential preference primary is held, the county clerk shall~~
13 ~~also publish notice of the presidential preference primary.~~ In addition, the county
14 clerk shall publish a type C notice on the Monday preceding the spring election for
15 all state and county referenda to be voted upon by electors of the county.

16 **SECTION 9.** 11.0101 (32) of the statutes is amended to read:

17 11.0101 (32) "Spring election" means the election held on the first Tuesday in
18 April to elect judicial, educational, and municipal officers, and nonpartisan county
19 officers and sewerage commissioners, ~~and to express preferences for the person to be~~
20 ~~the presidential candidate for each political party in a year in which electors for~~
21 ~~president and vice president are to be elected.~~

22 **SECTION 10.** 10.02 (3) (b) 3. of the statutes is amended to read:

23 10.02 (3) (b) 3. When casting a presidential preference primary vote, the elector
24 shall select the party ballot of his or her choice and make a cross (X) next to or depress
25 the button or lever next to the candidate's name for whom he or she intends to vote

1 or shall, in the alternative, make a cross (X) next to or depress the button or lever next
2 to the words "Uninstructed delegation", or shall write in the name of his or her choice
3 for a candidate.

4 (END)
